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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/641,028	08/17/2000	David L. Multer	FUSN1-01016USO LEV/JAV	4541

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EXAMINER

MOFIZ, APU M

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/641,028

Applicant(s)

MULTER ET AL.

Examiner

Apu M Mofiz

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 August 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3, 7 & 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

*[Signature]*  
DANIE D. MZRAHI  
PRIMARY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Bodnar et al. (U.S. Patent No. 6,295,541 and Bodnar hereinafter).

As to claims 1,4,5 and 6, Bodnar teaches a synchronization method, which comprises providing a first data package (i.e. changes may flow out of the client; the synchronizer data set is then updated by the changes) (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67) having a first transaction including an identification number, an

action, and a plurality of fields each with an attribute representing change information (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30); providing a second data package (i.e. changes from the second client are sent to the synchronizer and both the clients record ID corresponds/mapped to the GUD ID) having a second transaction made subsequent to the first transaction, the second transaction having an identification number, an action, and a field with an attribute (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30); determining whether the identification number of the second transaction corresponds to the identification number of the first transaction (i.e. determining if they are both mapped to the same GUD ID) (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30); determining whether the field of the second transaction corresponds to one of the fields of the first transaction (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30); combining (i.e. synchronizing), when the identification numbers of the first and second transactions correspond to one another and the field of the second transaction corresponds to one of the fields of the first transaction, the first and second data packages to define a combined data package having a combined transaction with the identification number (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30); and replacing the second data package with the combined data package (Fig.2; col 4, lines 1-67; col 5, lines 1-30); and replacing the second data package with the combined data package (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30).

As to claim 2, Bodnar teaches deleting the first data package (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30).

As to claim 3, Bodnar teaches determining the type of action of the second transaction (i.e. GUD\_Update or GUD\_Add or GUD\_Delete etc.) (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30); defining, when the action of the second transaction is "Add," the combined transaction to include an "Add" action and the corresponding field and the attribute of the second transaction (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30); defining when the action of the second transaction is "modify," the combined transaction to include an "add" action and the corresponding field and the attribute of the second transaction; (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30); and defining, when the action of the second transaction is "delete," the combined transaction to include a "delete" action and the corresponding field (Fig. 2; Fig. 10C; col 4, lines 1-67; col 11, lines 1-67; col 41, lines 45-67; col 42, lines 1-30).

### ***Points of Contact***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Apu M. Mofiz whose telephone number is (703) 605-4240. The examiner can normally be reached on Monday – Thursday 8:00 A.M. to 4:30 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached at (703) 3053830. The fax numbers for the group is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



Apu M. Mofiz  
Patent Examiner  
Art Unit 2175

January 21, 2002



DIANE D. MIZRAHI  
PRIMARY PATENT EXAMINER  
TECHNOLOGY CENTER 2100